

Mail Stop Interference
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Paper 110
Filed July 17, 2008

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

GUO-LIANG YU, BERKELEY, REINHARD EBNER,
AND JIAN NI
Junior Party
(U.S. Application No. 09/589,288),

V.

JEFFREY BROWNING, CHRISTINE AMBROSE,
FABIENNE MACKAY, JURG TSCHOPP, AND PASCAL SCHNEIDER,
Senior Party
(U.S. Patent No. 6,869,605).

Patent Interference No. 105,485 (MPT)
(Technology Center 1600)

Before SALLY C. MEDLEY, MICHAEL P. TIERNEY, and JAMES T. MOORE, *Administrative Patent Judges*.

TIERNEY, *Administrative Patent Judge*.

Judgment – Bd.R. 127

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Senior Party Browning has conceded the contest. (Paper 108).

4 Concession of priority of invention is construed as a request for adverse

1 judgment. 37 C.F.R. 41.127(b)(3). Judgment on priority of invention for
2 the subject matter of Count 1, the sole count in interference, is awarded
3 against Browning.

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5 It is:

6 **Ordered** that judgment be entered against Browning for Count
7 1, the sole count in interference (Paper 1, p. 4).

8 **Further Ordered** that claims 1-14 of Browning's involved
9 patent, U.S. Patent 6,869,605, are CANCELLED, 35 U.S.C. §135(a).

10 **Further Ordered** that a copy of this judgment be entered in the
11 administrative records of the involved Browning, U.S. Patent 6,869,605 and
12 Yu, U.S. Application 09/589,288.

1 cc (via electronic filing):

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4 Counsel for YU:

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